

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

FILED-CLERK  
U.S. DISTRICT COURT  
2011 DEC -8 AM 11:48  
TEXAS-EASTERN

David E Mack  
Plaintiff

vs

Firstsource Advantage, LLC  
Defendant

Case No. 4:11CV731

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**REQUEST FOR CLERK'S ENTRY OF DEFAULT**

David E Mack, the Plaintiff in this case, deposes and says under penalty of perjury:

1. I am the Plaintiff in the above-entitled action. I am familiar with all the facts and circumstances in this action.
2. I make this affirmation pursuant to Rule 55.1 and 55.2(A) of the Federal Civil Rules for the Eastern District of Texas in support of Plaintiff's application for the entry of a default judgment against Defendant Firstsource Advantage, LLC.
3. This is an action to recover statutory damages owed by the Defendant Firstsource Advantage, LLC for violation of the Fair Credit Reporting Act. The defendant is not an infant, in the military, nor an incompetent person.
4. Jurisdiction of the subject matter is based on Plaintiff at all times being a citizen of the United States and resident of Collin County, Texas per the DCPA §813.
5. This action was commenced on November 8, 2011 by the filing of the summons and complaint. A copy of the summons and complaint was served on the Defendant on November 12, 2011 by Mr. Gary Storm. Service was made via the United States Postal Service on November 12, 2011 requiring a signed receipt certificate number 70100780000005829151 pursuant to FRCP 4 and 12 on the Defendant, Firstsource Advantage, LLC located at 205 Bryant Woods South, Amherst, NY 14228. Proof of service was filed with the Clerk of the Court and the Court assigned the case number 4:11CV731.
6. Defendant has not answered the complaint and the time for Defendant to answer the complaint has expired ref FRCP 12.

7. This action seeks judgment for statutory damages in the amount of \$1,000.00 plus costs which is justly due and owing and no part of which has been paid to date.

WHEREFORE, Plaintiff requests the entry of Default and the entry of Judgment against the Defendant.

Dated: In Dallas, Texas, December 8, 2011

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David E. Mack", written over a horizontal line.

David E Mack  
7720 McCallum Blvd. #2099  
Dallas, Texas 75252  
972-735-9642

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the document above was sent to the parties listed below by first class mail USPS.

Firstsource Advantage, LLC  
205 Bryant Woods South  
Amherst, NY 14228

Dated December 8, 2011

A handwritten signature in black ink, appearing to read "David E Mack", written over a horizontal line.

David E Mack

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

David E Mack

v.

Civ. No. 4:11CV731

Firstsource Advantage, LLC

AFFIDAVIT IN SUPPORT OF CLERK'S ENTRY OF DEFAULT

I hereby certify that I am the plaintiff or the attorney of record for the plaintiff in the above cause, and that defendant Firstsource Advantage, LLC was served by the following method:

Certified Mail # 7010 0780 0000 0582 9151 by Gary Storm on November 12, 2011

I further certify that the defendant has failed to serve an answer or other responsive pleading; no extension has been granted or any extension has expired; the defendant is neither an infant (under age 21) nor an incompetent person; the defendant is not in the active military service of the United States of America or its officers or agents or was not six months prior to the filing of the case.

The Clerk is requested to enter a default against said defendant.

Date:

12-8-2011

  
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Plaintiff or Attorney for Plaintiff

\_\_\_\_\_  
Bar No.

7720 McCallum Blvd. #2099

\_\_\_\_\_  
Address

Dallas, Texas 75252  
\_\_\_\_\_